

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA

v.

LOURDES TERRAZAS-SILAS,

Defendant.

Case No. 1:19-cr-000127

Honorable Leonie M. Brinkema

**DECLARATION OF UNITED STATES IMMIGRATION AND CUSTOMS
ENFORCEMENT DEPORTATION OFFICER KEVIN HO**

1. I am a Deportation Officer with the United States Immigration and Customs Enforcement (ICE) in Fairfax, Virginia. I have been employed with ICE for more than ten years. I was previously employed as a Customs and Border Protection (CBP) Enforcement Officer for the U.S. Customs & Border Protection and its predecessor, the United States Immigration and Naturalization Service (INS), between April 1996 and November 2008. During that time, I have received specialized training and have conducted numerous investigations relating to administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code.

2. From April 1996 to February 2003, I worked as an immigration inspector and was promoted to senior immigration inspector. In March 2003, my position was converted to CBP Enforcement Officer from the legacy INS. I worked in that position from March 2003 to November 2008. During that time frame, I worked at John F. Kennedy International Airport, New York, and Washington Dulles International Airport, Virginia.

3. As part of my training, I studied the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 during my post-academy training while working at John F. Kennedy International Airport. This law enacted certain changes in the methods used by immigration officials to process removal cases, including Expedited Removal cases. This law took effect on April 1, 1997.

4. During my time at both John F. Kennedy International Airport, New York, and Washington Dulles International Airport, Virginia, I processed hundreds of Expedited Removal cases. The normal processing procedure is to take a sworn statement from the subject, recorded on Immigration Service Form I-867A and B. The Immigration form I-860 Notice and Order of Expedited Removal is then given to the subject. The subject will be advised of the charge and then the second line supervisor will make the approval for the final order. A copy of each form is issued to the subject.

5. On December 6, 1999, the removal of Lourdes TERRAZAS-SILAS was processed as an Expedited Removal case. On January 27, 2000, TERRAZAS-SILAS was removed from the United States. After being removed from the United States, her deportation was input into the Deportable Alien Control System (DACS).

6. The DACS database is a legacy INS system that is no longer in use. It was replaced by the Enforce Alien Removal Module (EARM) beginning in or around Fiscal Year 2007 to Fiscal Year 2010. One of the key reasons DACS was replaced was because DACS did not always contain accurate or complete information. For example, DACS did not store any biometric information. Between Fiscal Years 2007 and 2010, previously closed immigration cases were migrated into the EARM system. TERRAZAS-SILAS was one of those cases.

7. In Exhibit E of the Defendant's Motion To Dismiss the Indictment, there is a reference to an immigration data entry event dated May 29, 2001. This record appears to be a historical fingerprint enrollment entered into the system after the original date of the encounter or apprehension for watchlist purposes only. There are no information or records that establish a new immigration arrest or encounter occurring on May 29, 2001. If there had been an arrest or encounter by INS on or about May 29, 2001, there would be documents verifying that arrest or encounter, but none exist. The "Activity Organization" section indicates "DHS-US-VISIT-BSC." This shows that the fingerprint from the previously closed case was being uploaded as a potential alert or watchlist if the subject came back to the United States. The following page in Exhibit E

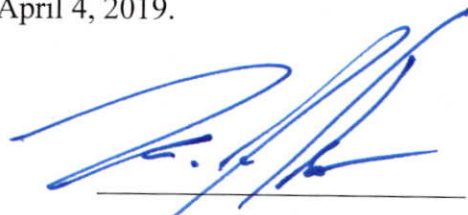
shows the actual arrest on December 1999. Here, the "Activity Organization" line states "DHS - APPREHEND."

8. In the Government's Exhibit 3, an EARM document, there is an "encounter" on July 13, 2007, noted under an "Event Number" of "UNK00120008099." That encounter reflects a DACS migration to EARM. Government's Exhibit 4 reflects that additional updates were made on September 3, 2007, by an ICE contractor, and that on May 24, 2008, there was another DACS migration to EARM update. Government's Exhibit 5 reflects a DACS migration to EARM update on May 25, 2008. As above, if there had been an arrest or encounter by immigration officials on or about any of these dates, there would be documents verifying that arrest or encounter, but none exist.

9. Government's Exhibit 6 reflects additional database updates were made on November 18, 2004 and February 24, 2008. Government's Exhibit 6 is a person query, also known as a "lookout." The November 18, 2004 dates are the dates when the remarks regarding the previous Expedited Removal of TERRAZAS-SILAS were entered. These queries are standard for every alien file and do not reflect an encounter. The February 24, 2008 date likely reflects an update to the person query, but the nature of the update is not clear. Because the focus on this person query is her January 27, 2000 removal, this document does not reflect any subsequent encounter with the defendant.

10. A full review of immigration databases, records, and TERRAZAS-SILAS's Alien Registration file show that the only immigration encounters with TERRAZAS-SILAS occurred on or around December 5, 1999, August 19, 2016, and April 4, 2019.

Date: 5/31/19



Kevin Ho
Deportation Officer
United States Immigration and Customs
Enforcement

EXHIBIT 2

U.S. Department of
Immigration and Naturalization Service

**Record of Sworn Statement in Proceedings
under Section 235(b)(1) of the Act**

Office: San Ysidro, Port of Entry File No: A78 110 074
 Statement by: TERRAZAS-Siles, Lourdes
 In the case of: TERRAZAS-Siles, Lourdes
 Date of Birth: September 29, 1979 Gender (circle one): Male Female
 At: San Ysidro, California Date: December 6, 1999
 Before: Immigration Inspector R. Sorges SDP [REDACTED]
 (Name and Title)
 In the Spanish language. Interpreter R. Sorges II SDP [REDACTED] Employed by: U.S. IN&S

I am an officer of the United States Immigration and Naturalization Service. I am authorized to administer the immigration laws and to take sworn statements. I want to take your sworn statement regarding your application for admission to the United States. Before I take your statement, I also want to explain your rights, and the purpose and consequences of this interview.

You do not appear to be admissible or to have the required legal papers authorizing your admission to the United States. This may result in your being denied admission and immediately returned to your home country without a hearing. If a decision is made to refuse your admission into the United States, you may be immediately removed from this country, and if so, you may be barred from reentry for a period of 5 years or longer.

This may be your only opportunity to present information to me and the Immigration and Naturalization Service to make a decision. It is very important that you tell me the truth. If you lie or give misinformation, you may be subject to criminal or civil penalties, or barred from receiving immigration benefits or relief now or in the future.

Except as I will explain to you, you are not entitled to a hearing or review.

U.S. law provides protection to certain persons who face persecution, harm or torture upon return to their home country. If you fear or have a concern about being removed from the United States or about being sent home, you should tell me so during this interview because you may not have another chance. You will have the opportunity to speak privately and confidentially to another officer about your fear or concern. That officer will determine if you should remain in the United States and not be removed because of that fear.

Until a decision is reached in your case, you will remain in the custody of the Immigration and Naturalization Service.

Any statement you make may be used against you in this or any subsequent administrative proceeding.

Q. Do you understand what I've said to you?

A: Yes.

Q. Do you have any questions?

A: No.

Q. Are you willing to answer my questions at this time?

A: Yes.

U.S. Department of Justice
Immigration and Naturalization Service

**Jurat for Recording of Sworn Statement in
Proceedings under Section 235(b)(1) of the Act**

Q. Do you swear or affirm that all the statements you are about to make are true and complete?

A: Yes.

Q. What is your true and correct name?

A: Lourdes TERRAZAS-Siles.

Q. What is your date of birth?

A: The [REDACTED]

Q. In what City, State and Country were you born?

A: Cochabamba, Bolivia.

Q. Of what country are you a citizen?

A: Bolivia.

Q. Of what country is your mother a citizen?

A: Bolivia.

Q. Of what country is your father a citizen?

A: Bolivia.

Q. When did you attempt to enter the United States?

A: Yesterday. (December 5, 1999)

Q. What means of transportation did you use to attempt to enter the United States?

A: On foot.

Q. Was there anyone else with you?

A: Yes, a man named Beto, who came with me from Bolivia.

Q. What type of document did you present to the Officer?

A: A passport.

Q. How did you obtain the passport?

A: The man named Beto gave it to me in Bolivia.

Q. How much did you pay him?

A: I paid him \$1500.00 dollars in Bolivia and after I returned to Bolivia I was to pay him \$4500.00 dollars more.

Q. Did you know it is illegal to present a document not lawfully issued to you?

A: Yes.

Q. Do you have or have you ever had a legal document allowing you to enter or reside in the United States?

A: No.

Q. Do you have an application/petition pending with the Immigration and Naturalization Service?

A: No.

Q. Have you ever been excluded, removed, or deported from the United States?

A: No.

Q. Have you ever lived in the United States?

A: No.

Q: Where do you live?

A: In a ranch in Tarata Arbieta, Bolivia.

Q. Why did you leave your home country or country of last residence?

A: I want to go visit my uncle in Virginia.

Q: How long did you plan to stay in the United States?

A: Ten days.

Q. Where did you intend to go in the United States?

A: To Virginia

Q: Are you married and do you have children?

A: No.

Q: Do you have any fear or concern about being returned to your home country or being removed from the United States?

A: No, I am a student.

Q. Would you be harmed if you are returned to your home country or country of last residence?

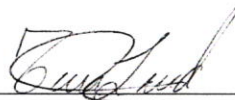
A: No.

Q. Do you have any questions or is there anything else you would like to add?

A: No. I just want to find the man who left.

I have read (or have had read to me) this statement, consisting of three pages (including this page). I state that my answers are true and correct to the best of my knowledge and that this statement is a full, true and correct record of my interrogation on the date indicated by the above-named officer of the Immigration and Naturalization Service. I have initialed each page of this statement (and the corrections noted on page(s) _____).


Signature: _____



LTS
1-867B (4-1-97)

Sworn and subscribed to before me at San Ysidro, California
on December 6, 1999

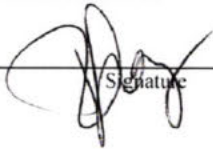

Immigration Inspector R. Sorges SDP 
Officer, United States Immigration and Naturalization Service

Witnessed by: Immigration Inspector S. Matias SDP 

Certificate of Translation

This written sworn statement ☒ was ☐ was not read to the alien in the Spanish language, which is his/her native language or a language which he/she understands.

December 6, 1999
Date



Signature

R. Sorges II SDP 
Printed Name and Title of Translator

EXHIBIT 3

EARM

Logged In: TFJ5532A |

Person ID: 3448315 Sex: F DOB: [REDACTED] Current Age: 36 COB: BOLIV COC: BOLIV	Current / Active Alerts <div>Detention History</div> 
Subject ID: [REDACTED] Processing Disposition: Expedited Removal (I-860) RCA Look-Up	
Case #: 4699802 Case Category: [8F] Docket: SND - Closed Docket	
Final Order of Removal: No Time in Custody: N/A Special Class:	
Final Order Date: N/A Depart / Cleared Status: 8- Excluded/Removed - Inadmissibility	
Proceed With Removal: N/A	
Days Final Order in Effect: N/A	

Terrazas-Silas, Lourdes 078 110 074

Encounter Details

Encounters linked to Person ID: 3448315										
	Subject ID	A-Number	Last Name	First Name	COC	Priority	DOB	Encountered on	Case	Case Category
<input checked="" type="radio"/>	[REDACTED]	078110074	TERRAZAS-SILAS	LOURDES	BOLIV			07/13/2007	4699802	8F

Encounter Details All information below may only be edited in EAGLE

Event / Incident Information

Event Number: UNK0012008099	Operation: N/A	Primary Agent: N/A
Event Occurred On: 12/06/1999	Site: N/A	Assigned On:
Event Type: Unknown	Landmark: N/A	Event Supervisor: N/A
		Assigned On:

Subject Information

FINS: N/A	Priority: N/A	Role: P
A-Number: 078 110 074	Criminal Type: N/A	Role Comment: N/A
Control Name: TERRAZAS-SILAS	Agg Felon: No Aggravated Felony Convictions	Processing Disposition: Expedited Removal (I-860)
First Name: LOURDES	Primary Citizenship: BOLIVIA	INS Status: N/A
Middle Name: N/A	Hair: N/A	POE: N/A
Maiden: N/A	Eyes: N/A	Entry Date: N/A
Nickname: N/A	Complexion: N/A	Entry Class: N/A
Living?: N/A	Race: N/A	Apprehension Date: 1999-12-06 00:00:00.0
Sex: F	Origin: N/A	Site: N/A
Transgender: N/A	Date of Birth:	Landmark: N/A
Marital Status: Single	Age: 36	Arrest At/Near: SYS/POE
SSN: N/A	Age at Encounter: N/A	Juvenile Status: N/A
Juvenile Verified: N/A	Height: N/A	Accompanying Family Member Relation: N/A
Occupation: N/A	Weight: N/A	Accompanying Family Member Subject ID: N/A
		Consequence Delivery System Selection: N/A

I-213 Narrative

EXHIBIT 4

No Mugshot	EID Subject ID Last Name First Name Citizenship Alien Number	TERRAZAS-SILAS LOURDES BOLIV 078110074
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Middle Name: N/A

Maiden Name: N/A

Nickname: N/A

Date of Birth: [REDACTED] **Age:** N/A

Height: N/A **Weight:** N/A

Gender: F **Hair:** N/A

Eye: N/A **Complexion:** N/A

Race: N/A **Origin:** N/A

Marital Status: S

Rank: 1 **Role:** P

Role Comment: N/A **Citizenship:** BOLIV

Country of Birth: BOLIV **FINS:** N/A

Alien Number: 078110074 **SSN:** N/A

TECS Subject #: N/A

Criminal Type: N/A

Sex Offender? N/A **Other Criminal History?** N/A

Current Status: N/A

Armed: N **Assault:** N

Identifying Numbers

No Identifying Numbers.

Alias

No Aliases.

Entries

No Entries.

Addresses

Type: N/A

From Date: N/A **To Date:** N/A

Street1: N/A

Street2: N/A

Street3: N/A

Apt: N/A **PO Box:** N/A

City: N/A **State:** N/A **Zip:** N/A **Country:** N/A

Phone Numbers

No Phones.

Record Checks

No Record Checks.

Arrest

Date: 1999-12-06T00:00:00 **Method:** O **Immigration Status:** D **Disp. Read By:** B

Arresting Agency

Apprehending Agent

Site: N/A

Gang Code: N/A **Gang Membership Type:** N/A **Prior Deport:** N/A

Rescued Hostage: N/A **Discretionary Release:** N/A

Non-Immigration Offense: N/A **Laws Degree:** N/A

Charges/Allegations

Charge Date: 1999-12-06T00:00:00 **Degree:** N/A **Disp:** N/A

Statute Text: Section 212(a)(6)(C)(i) of the Immigration and Nationality Act (Act), as amended, in that you are an alien who, by fraud or willfully misrepresenting a material fact, seeks to procure (or has sought to procure or has procured) a visa, other documentation, or admission into the United States or other benefit provided under this Act.

Narratives

No Narrative.

Parents

No Parents Information.

Family

Marital Status: S

US Family Details:

N/A

Number and Nationality of Minor Children:

N/A

Family Health Description:

N/A

Type: N/A **Claimed/Verified:** N/A

Last Name: N/A **First Name:** N/A **Middle Name:** N/A

Born in: BOLIV **Citizenship:** BOLIV

Date Of Birth: [REDACTED] **Age:** N/A **Alien Number:** 078110074

INS Status: N/A **Gender:** F **Living:** N/A

Employment

Occupation: N/A **Employer:** N/A

Type: N/A **From:** N/A **To:** N/A

Salary Begin: N/A **End:** N/A **Wage Type:** N/A **Rate:** N/A

Employer Contact Information

Comment: N/A

Street 1: N/A

Street 2: N/A

City: N/A **State:** N/A **Zip:** N/A **County:** N/A

Scars/Marks

No Scars/Marks Information.

Attorneys

No Attorneys Information.

Subject Changes

Update By: EADM_MIG **Update Date:** 2007-07-13T16:46:40

Journal Data: Added New Alert Code = O

Alert Comment = DACS Data

Update By: TIERNO, STEPHANIE Update Date: 2007-09-03T06:19:17

Journal Data: Un-tracked Subject Data Change.


Update By: EARM_MIG Update Date: 2008-05-24T20:34:04

Journal Data: Processing Disposition: null ==> ER

EXHIBIT 5

EARM

Logged In: TFJ5532A |

Person ID: 3448315 Sex: F DOB: [REDACTED] Current Age: 36 COB: BOLIV COC: BOLIV	Current / Active Alerts <input type="button" value="Detention History"/> 
Subject ID: [REDACTED] Processing Disposition: Expedited Removal (I-860) RCA Look-Up	
Case #: 4699802 Case Category: [8F] Docket: SND - Closed Docket	
Final Order of Removal: No Time in Custody: N/A Special Class:	
Final Order Date: N/A Depart / Cleared Status: B- Excluded/Removed - Inadmissibility	
Proceed With Removal: N/A	
Days Final Order in Effect: N/A	

Terrazas-Silas, Lourdes 078 110 074**Case Summary****Case Details**

Case Category: [8F] Expedited Removal

Final Order of Removal: No

Final Order Date: N/A

Are there reasons that prevent removal of the alien at this time? N/A

Reason preventing removal: N/A

Cleared-Depart Status: B-Excluded/Removed - Inadmissibility

Aggravated Felon: No Aggravated Felony Convictions

Mandatory Detention: No

Special Classes:

Last Updated By: EARM_MIG

Last Update: 05/25/2008

[EOIR Search](#)**Important Case Dates**

Entry Date:	N/A
Apprehension Date:	12/06/1999
Case Creation Date:	12/06/1999
Charging Document Issued :	N/A
Charging Document Served :	N/A
A-File to Trial Attorney:	N/A
Initial Book-in:	12/06/1999
Last Book-in:	12/06/1999
Final Book-out:	01/27/2000
Last Custody Review:	N/A
Travel Document Requested:	12/29/1999
Case Closed:	02/11/2000

Docket Assignment

DCO: SND - SAN DIEGO, CA

Docket Name: Closed Docket

Case Call-ups

Nothing found to display.

[Hide Completed call-ups in listing](#)**Encounters Included in Case File**

A-Number	Subject ID	Last Name	First Name	COB	Age	Entry Date	Apprehended	Disposition	Primary
078110074	[REDACTED]	Terrazas-silas	Lourdes	BOLIV			12/06/1999	Expedited Removal (I-860)	★

Administrative and Criminal Immigration Charges

Charged	Section	DACS	Description	Disposition
12/06/1999	212a6Ci	I8C1	FRAUD OR WILLFUL MISREPRESENTATION	Sustain

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Additional Charges of Inadmissibility/Deportability (I-261)

Nothing found to display.

Case Closure

This case is currently Closed and can be deleted once the case is reopened(historical cases can be re-opened by Super Users only).

Date Case Closed: 02/11/2000	Alien was removed with the following biographical information:
Depart-Cleared Status: 8-Excluded/Removed - Inadmissibility	A-Number: 078110074
Date Departed: 01/27/2000	Name: TERRAZAS-SILAS, LOURDES
Port Departed: LOS ANGELES, CA	DOB: [REDACTED]
Departure Country: BOLIVIA	COB: BOLIVIA
Expense Code: 1-ICE/Agency	COC: BOLIVIA
	Comments:

Charges -- Charges marked with a Disposition of Sustained the section of law under which the alien was removed. The Charge with an X in the Final Charge column has been marked as the Final Charge, or most severe charge, under which the alien was removed.

Charged	Section	DACS	Description	Disposition	Final Charge
12/06/1999	212a6Ci	I6C1	FRAUD OR WILLFUL MISREPRESENTATION	Sustain	X

United States Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) |
Release EARM 5.25

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EXHIBIT 6



U.S. Customs and Border Protection
U.S. Department of Homeland Security
TECS - Person Query

04/04/2019 01:13 AM EDT

Generated By: JOSH HUFF

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TECS RECORD ID: [REDACTED]				
PERSON SUBJECT QUERY DETAILS INFORMATION				
TECS Record ID	Entry Date	Update Date		
[REDACTED]	01/27/2000	02/24/2008		
Record Status	Category			
- SUSPECT, ALIEN				
Query Notification				
- No notification				
Primary Action	Start Date	Stop Date		
- REFER TO IMMIGRATION				
Last Name	First Name	Middle Name		
TERRAZAS SILAS	LOURDES			
Alias (3)				
No.	Alias - Last Name	Alias - First Name	Alias - Middle Name	Alias Type
1	SILAS	LOURDES		SYSTEM
2	TERRAZAS	LOURDES		SYSTEM
3	TERRAZASSILAS	LOURDES		SYSTEM
Approval Status		Hispanic Indicator		
		U - UNKNOWN		
Date of Birth (1)	Race (0)			Gender (1)
11/18/2004 (39 years old)				1) FEMALE
		Selectee Indicator		
		N		
REMARKS INFORMATION(S)				
No.	Date	Remarks		
1	11/18/2004	COUNTRY OF BIRTH: BOLIV DATE OF ENTRY INTO THE COUNTRY: 12/06/1999 PORT OF ENTRY INTO THE COUNTRY: SYS		
2	11/18/2004	DATE DEPARTED FROM US: 01/27/2000 PORT DEPARTED FROM: LOS COUNTRY DEPARTED TO: BOLIV		
3	11/18/2004	FINAL CHARGE CODE: I6C1 - ZZ212A6CI WILLFUL MISREPRESENTAT CLASS OF ENTRY: ER EXPENSE DESCRIPTION: INS		
4	11/18/2004	DATE CASE WAS CLOSED: 02/11/2000		

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